

**REMARKS**

**SUMMARY**

Claims 1-21 are pending. Claims 1-9 and 16-21 have been rejected under 35 U.S.C. § 101 as allegedly non-statutory. Claims 1-4, 7, 8, 10, 13, 14, 16, 19, and 20 have been rejected under 35 U.S.C. § 102(e) as allegedly anticipated by Robin, U.S. Patent Publication No. 20020005935 (“Robin”). Claims 5, 6, 11, 12, 17, and 18 have been rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over *Robin*, further in view of alleged official notice. Claims 9, 15, and 21 have been rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over *Robin*, further in view of Becker, U.S. Patent Publication No. 20030125609 (“Becker”).

**APPLICANTS’ RESPONSE**

In this Response, Applicants present arguments concerning the patentability of claims 1-21 to address the Examiner’s rejections. Applicants’ silence with regard to any aspect of the Examiner’s rejections of the dependent claims constitutes recognition by the Applicants that the rejections are moot based on Applicants’ remarks relative to the independent claim from which the dependent claims depend.

Applicants have amended claims 1 and 16-21 to better clarify the claimed subject matter. No new matter is introduced by virtue of these amendments. Support for the amendments can be found, for example, in the published application at paragraphs [0020]-[0022].

**35 U.S.C. § 101 REJECTIONS**

Amended claim 1 recites, *inter alia*, “analyzing, by a computer processor, the accessed at least one from the group consisting of product oriented longitudinal data, patient oriented longitudinal data and prescriber oriented longitudinal data” (emphasis added). Accordingly,

Applicants respectfully submit that claim 1 as well as dependent claims 2-9 recite statutory subject matter. Applicants request withdrawal of the rejections thereto.

Amended claim 16 recites, *inter alia*, “A computer readable medium embodying one or more instructions thereon which, when executed, cause one or more computer processors to perform the steps comprising.” Accordingly, Applicants submit that claim 16, as well as dependent claims 17-21, recite statutory subject matter. Applicants request withdrawal of the rejections thereto.

### **35 U.S.C. § 102 REJECTIONS**

Amended claim 1 recites, *inter alia*:

accessing at least one from the group consisting of product oriented longitudinal data, patient oriented longitudinal data and prescriber oriented longitudinal data based at least in part on the selected report type;

analyzing, by a computer processor, the accessed at least one from the group consisting of product oriented longitudinal data, patient oriented longitudinal data and prescriber oriented longitudinal data; and

formatting a report of the selected report type including the accessed at least one from the group consisting of product oriented longitudinal data, patient oriented longitudinal data and prescriber oriented longitudinal data.

(emphasis added).

Applicants respectfully submit that *Robin* does not describe or suggest accessing, analysing, or reporting “product oriented longitudinal data,” “patient oriented longitudinal data,” or “prescriber oriented longitudinal data.” In fact, nothing in *Robin* describes longitudinal data. Accordingly, Applicants respectfully request withdrawal of the rejections to claim 1, and at least because of their dependence therefrom, claims 2-4, 7, and 8.

Claims 10 and 16 include similar features as claim 1. Therefore, Applicants likewise request withdrawal of the rejections to claims 10 and 16, and at least because of their dependence from one of claims 10 or 16, claims 13, 14, 19, and 20.

**35 U.S.C. § 103 REJECTIONS**

Claims 5, 6, 9, 11, 12, 15, 17, 18, and 21 are dependent claims. Applicants therefore request withdrawal of the rejections to claims 5, 6, 9, 11, 12, 15, 17, 18, and 21 for at least the same reason as the independent claims from which the claims depend.

**CONCLUSION**

Applicants respectfully submit that this application is now in condition for allowance.  
Reconsideration and prompt allowance of which are respectfully requested.

The Examiner is invited to contact the undersigned at (212) 408-2517 if any additional information or assistance is required.

Applicants believe that no additional fee is due in connection with the filing of this response. If any additional fee is due, or overpayment made, with regard to this response, Applicants authorize the Director to charge any such fee, and credit any overpayment, to Deposit Account No. 02-4377.

Respectfully submitted,

BAKER BOTTS L.L.P.



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